

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**KRISTAL MASCIOCCHI BISSETT,**  
**Plaintiff**

**v.**

**VERIZON WIRELESS and**  
**BRANDON SHANE KOSTICK,**  
**Defendants**

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**No. 1:18-cv-01907**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 18th day of July 2019, upon consideration of Defendant Verizon Wireless (“Defendant Verizon”)’s motion to dismiss Plaintiff’s complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (Doc. No. 4), in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Defendant Verizon’s motion to dismiss (Doc. No. 4) is **GRANTED**;
2. Counts I-V, VII, and VIII of Plaintiff’s complaint (Doc. No. 1-3), as alleged against Defendant Verizon, are **DISMISSED WITH PREJUDICE**;
3. Count VI of Plaintiff’s complaint (Doc. No. 1-3) is **DISMISSED WITHOUT PREJUDICE** to Plaintiff’s right to file an amended complaint, within fourteen (14) days of the date of this Order, that cures the pleading deficiencies identified in the Memorandum issued concurrently with this Order; and
4. Plaintiff is directed to submit, within fourteen (14) days of the date of this Order, a report that specifically addresses the status of Defendant Kostick’s participation in this matter.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania